

Remarks

Claims 40 and 43 have been amended for clerical reasons and claims 40-43 are pending in the application.

Claims 40-43 stand rejected under 35 U.S.C. 102(e) as being anticipated by Yao et al. ('089). Applicant requests reconsideration of the rejection in view of the following arguments.

The Examiner is directed to § 2131 of the MPEP which recites:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Yao does not anticipate claims 40-43 for at least the reason that it does not teach or suggest every element of claims 40-43.

In reference to claim 40, a method of forming conductive lines is recited that includes forming an oxide isolation grid between silicon structures and forming conductive material within the oxide isolation grid to form a conductive grid therein. Claim 40 further recites removing selected portions of the conductive grid to define interconnect lines within the oxide isolation grid. Claim 40 is allowable over Yao for at

least the reason Yao does not teach or suggest forming conductive material within the oxide isolation grid to form a conductive grid therein.

The Examiner has referred the Applicant to Figs. 7 and 8, items 82, 87, 94, 95, 97, 98, and 99, as well as col. 7, lines 60-68 of Yao to support her rejection. Applicant has reviewed Yao and cannot find reference to, depiction of, or description of an oxide isolation grid. Yao has many references to horizontal and vertical conductive lines however these lines cannot be considered conductive material within an oxide isolation grid. For example, referring to Fig. 7 of Yao as directed by the Examiner, Yao describes horizontal conductive lines 101 below vertical conductive lines 99. These lines are formed above and below one another; together they do not form a grid. To the extent the Examiner believes the horizontal and vertical lines can be considered a grid when they are separate from one another, they are not formed within an oxide isolation grid as recited by claim 40. To the extent the Examiner believes the material between the horizontal lines can be considered an oxide isolation grid, a conductive grid is not formed within this material as recited by claim 40. For at least the reason Yao does not teach or suggest forming conductive material within the oxide isolation grid to form a conductive grid therein, claim 40 is allowable.

Claims 41-43 depend from claim 40 and are allowable for at least the reasons given above regarding claim 40.

Claims 40-43 are believed to be in immediate condition for allowance. Applicant requests allowance of claims 40-43 in the Examiner's next action. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the Examiner

is requested to contact the undersigned on (509) 624-4276 between the hours of 8 and 5 (PST).

Respectfully submitted,

Dated: 4/14/05

By: 

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